

CLOSED

**U.S. District Court
Southern District of New York (Foley Square)
CRIMINAL DOCKET FOR CASE #: 1:24-mj-00229-UA-1**

Case title: USA v. Audate

Date Filed: 01/18/2024

Other court case number: 1:22-cr-23-001-WES U.S. District Court Date Terminated: 01/19/2024
District of Rhode Island

Assigned to: Judge Unassigned

Defendant (1)

Jean Richard Audate

TERMINATED: 01/19/2024

represented by **Eon R Smith**

Smith & Company, PLLC

Smith & Company, PLLC

140 Broadway

46th Floor

10005

New York, NY 10005

718-874-5999

Fax: 718-559-6560

Email: esmith@smithelaw.com

ATTORNEY TO BE NOTICED

Designation: Retained

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

18:1343.F Conspiracy to Commit Wire
Fraud

Disposition

Plaintiff

USA

represented by **James Mandilk**
 DOJ-USAO
 1 Saint Andrews Plaza
 New York, NY 10007
 212-637-2453
 Email: james.mandilk@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney

Date Filed	#	Select <u>all</u> / <u>clear</u>	Docket Text
01/18/2024	<u>1</u>	<input checked="" type="checkbox"/>	RULE 5(c)(3) AFFIDAVIT of DAVID WEBSTER, being duly sworn, deposes and says that he is a Special Agent with the U.S. Department of Homeland Security, from the United States District Court - District of Rhode Island, as to Jean Richard Audate. (Signed by Magistrate Judge Katharine H. Parker on 1/18/2024) (job) (Entered: 01/19/2024)
01/18/2024			Arrest of Jean Richard Audate. (job) (Entered: 01/19/2024)
01/18/2024	<u>2</u>	<input checked="" type="checkbox"/>	NOTICE OF ATTORNEY APPEARANCE: Eon R Smith appearing for Jean Richard Audate. (job) (Entered: 01/19/2024)
01/18/2024	<u>3</u>	<input checked="" type="checkbox"/>	Minute Entry for proceedings held before Magistrate Judge Katharine H. Parker:Initial Appearance in Rule 5(c)(3) Proceedings as to Jean Richard Audate held on 1/18/2024. Bond Hearing as to Jean Richard Audate held on 1/18/2024. AUSA James Mandilk present for the Government. Defendant present with retained attorney Eon Smith. BAIL DISPOSITION: Def. released on own recognizance; Travel restricted to SDNY/EDNY/RI/VT points in between for travel to and from court; Surrender travel documents and no new applications; Pretrial supervision as directed by pretrial services; mental health eval/treatment as directed by pretrial services; Def. to be released on own signature; Remaining conditions to be met by 2/1/2024; Sentencing 2/22/2024; All conditions imposed and in effect continue to apply. ***Conference before D.J. on 2/22/2024. Identity Hearing Waved. (job) (Entered: 01/19/2024)
01/18/2024	<u>4</u>	<input checked="" type="checkbox"/>	Order Setting Conditions of Release Bond Entered as to Jean Richard Audate. (job) (Entered: 01/19/2024)
01/22/2024			RULE 5(c)(3) DOCUMENTS SENT as to Jean Richard Audate from the U.S.D.C. Southern District of New York to the United States District Court - District of Vermont. Sent original file along with documents numbered 1-4, certified copies of: Rule 5(c)(3) Documents, the docket sheet, and letter of acknowledgment. (job) (Entered: 01/22/2024)

View Selected

or

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AUSA: James G. Mandilk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

24 MAG 229

UNITED STATES OF AMERICA

v.

JEAN RICHARD AUDATE,

Defendant.

RULE 5(c)(3)
AFFIDAVIT

SOUTHERN DISTRICT OF NEW YORK, ss.:

DAVID WEBSTER, being duly sworn, deposes and says that he is a Special Agent with the U.S. Department of Homeland Security – Homeland Security Investigations (“HSI”) and states as follows:

On or about February 23, 2022, the grand jury for the U.S. District Court for the District of Rhode Island returned an indictment of “Jean Richard Audate” on one count of conspiracy to commit mail fraud, in violation of 18 U.S.C. § 1349; three counts of mail fraud, in violation of 18 U.S.C. §§ 1341, 2; and one count of aggravated identity theft, in violation of 18 U.S.C. §§ 1028A, 2 (the “Rhode Island Indictment”). A copy of the Rhode Island Indictment is attached hereto and incorporated by reference herein. I have been informed by counsel for the Government that “Jean Richard Audate” pled guilty to certain counts of the Rhode Island Indictment. I have also been informed by counsel for the Government that sentencing was previously scheduled for today, January 18, 2024, but that on January 16, 2024, the U.S. District Court for the District of Rhode Island adjourned sentencing to a date to be determined.

On or about January 11, 2024, the grand jury for the U.S. District Court for the District of Vermont returned an indictment charging “Jean Richard Audate” with one count of money laundering conspiracy, in violation of 18 U.S.C. § 1956(h), 1956(a)(1)(A)(i) (the “Vermont Indictment”). Pursuant to the Vermont Indictment, on or about January 11, 2024, the U.S. District Court for the District of Vermont issued a warrant for the arrest of “Jean Richard Audate” (the “Vermont Arrest Warrant”).

On or about January 18, 2024, U.S. Probation and Pretrial Services for the U.S. District Court for the District of Rhode Island (the “Probation Department”) filed a report with that Court informing it of violations of the conditions of release that the Court had imposed, pending sentencing, on “Jean Richard Audate.” Specifically, the Probation Department informed the Court that “Audate” had been charged in the Vermont Indictment, reflecting that he had violated his release conditions by committing a new crime while on bail pending sentencing. Thereafter, on or about January 18, 2024, pursuant to the Probation Department’s report, the U.S. District Court for the District of Rhode Island issued a warrant for the arrest of “Jean Richard Audate.” The violation report and arrest warrant are attached hereto and incorporated by reference herein.

I participated in the arrest of JEAN RICHARD AUDATE, the defendant, in the Southern District of New York. I believe that AUDATE is the same person as “Jean Richard Audate” who is wanted by the U.S. District Court for the District of Rhode Island.

The bases for my knowledge and for the foregoing are, in part, as follows:

1. I am a Special Agent with HSI. I have been personally involved in determining whether JEAN RICHARD AUDATE, the defendant, is the same person as “Jean Richard Audate,” named in the arrest warrant from the U.S. District Court for the District of Rhode Island. Because this Affidavit is being submitted for the limited purpose of establishing the identity of the defendant, I have not included in this Affidavit every fact that I have learned. Where I report statements made by others, those statements are described in substance and in part, unless otherwise noted.

2. Based on my review of documents from the U.S. District Court for the District of Rhode Island, I know that, on or about January 18, 2024, the U.S. District Court for the District of Rhode Island issued a warrant for the arrest of “Jean Richard Audate” (the “Rhode Island Arrest Warrant”). The Rhode Island Arrest Warrant was based on a report by the Probation Department alleging that “Jean Richard Audate” violated the conditions of release imposed on “Audate” pending sentencing because “Audate” was charged in the Vermont Indictment.

3. On January 18, 2024, at approximately 7:00 a.m., I participated in the arrest of JEAN RICHARD AUDATE, the defendant, at a particular address and apartment number in New York, New York (“Address-1”) pursuant to the Vermont Arrest Warrant. On January 18, 2024, at approximately 2:20 p.m., while AUDATE was in federal custody at 500 Pearl Street, I executed the Rhode Island Arrest Warrant.

4. Based on my participation in these arrests, my conversations with other law enforcement officers, and my review of law enforcement records, I believe that JEAN RICHARD AUDATE, the defendant, is the “Jean Richard Audate” named in the Rhode Island Arrest Warrant, for the reasons set forth below:

a. On or November 14, 2023, HSI executed a search warrant at Address-1, authorizing officers to search the home and person of “Jean Richard Audate” for, among other things, evidence of the offenses alleged in the Vermont Indictment. Based on conversations with Special Agent William Duffin of HSI, I know that Special Agent Duffin participated in the execution of that search warrant. “Jean Richard Audate” was present when that warrant was executed. When we arrested AUDATE at approximately 7:00 a.m. on or about January 18, 2024, Special Agent Duffin was present and recognized AUDATE as “Audate,” the person named in the search warrant and as to whom the prior search warrant was executed.

b. On January 18, 2024, while processing AUDATE, I addressed him as “Jean Richard Audate,” and he responded affirmatively to that name.


c. On January 18, 2024, while processing AUDATE, I obtained his New York State driver’s license and confirmed that the photo on that license appeared to match the

appearance of AUDATE and that the name, date of birth, height, sex, race, hair color, and eye color listed on that license matched the corresponding information provided for the "Audate" named in the Vermont Arrest Warrant. The Rhode Island Arrest Warrant does not include such information.

d. On January 18, 2024, while processing AUDATE, AUDATE provided me contact information for his attorney, Eon Smith, Esq. Eon Smith represents "Jean Richard Audate" in connection with the Rhode Island Indictment, and on January 18, 2024, he filed a notice of appearance in connection with the Vermont Indictment.

5. Accordingly, I believe that the "Jean Richard Audate" named in the Rhode Island Arrest Warrant is JEAN RICHARD AUDATE, the defendant.

WHEREFORE, I respectfully request that JEAN RICHARD AUDATE, the defendant, be imprisoned or bailed, as the case may be.


David Webster
Special Agent
Homeland Security Investigations

Sworn to before me this
18th day of January, 2024


THE HONORABLE KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

U.S. vs. Jean Richard Audate

Docket Number: 1:22-CR00023-001-WES

PETITION FOR ACTION ON CONDITIONS OF PRETRIAL SERVICES RELEASE

Comes now Christina Woishnis, U.S. Probation Officer, presenting an official report upon the conduct of defendant, Jean Richard Audate, who was placed under pretrial release supervision by the Honorable Patricia A. Sullivan, United States Magistrate Judge on February 24, 2022.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE
AS FOLLOWS:**

The defendant was arrested on January 18, 2024, for a one count Indictment from United States District Court in the District of Vermont for Conspiracy to Commit Wire Fraud, in violation of Title 18 U.S.C. § § 1343.

PRAYING THAT THE COURT WILL ORDER the issuance of a Warrant to be lodged as a detainer for the defendant to appear for a Bail Revocation Hearing.

ORDER OF THE COURT

Considered and ordered this 18th day
of January, 2024 and ordered filed
and made a part of the records in the above case.
/s/ Patricia A. Sullivan

Honorable Patricia A. Sullivan
U.S. Magistrate Judge

Date 1/18/2024

I declare under the penalty of perjury that the foregoing is true and correct:

/s/Christina Woishnis
Christina Woishnis
U.S. Probation Officer

Date: 1/18/2024

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of Rhode Island

United States of America
v.
JEAN RICHARD AUDATE

Case No. CR 22-23WES

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) JEAN RICHARD AUDATE,
who is accused of an offense or violation based on the following document filed with the court:

☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☒ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Violation of Pretrial Release

Date: 01/18/2024

/s/ Martha Saucier

Issuing officer's signature

City and state: Providence, RI

Martha Saucier, Deputy Clerk

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

**This second page contains personal identifiers provided for law-enforcement use only
and therefore should not be filed in court with the executed warrant unless under seal.**

(Not for Public Disclosure)

Name of defendant/offender: _____

Known aliases: _____

Last known residence: _____

Prior addresses to which defendant/offender may still have ties: _____

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: _____

Social Security number: _____

Height: _____ Weight: _____

Sex: _____ Race: _____

Hair: _____ Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates (*name, relation, address, phone number*): _____

FBI number: _____

Complete description of auto: _____

Investigative agency and address: _____

Name and telephone numbers (office and cell) of pretrial services or probation officer (*if applicable*): _____

Date of last contact with pretrial services or probation officer (*if applicable*): _____

AO 458 (Rev. 06/09) Appearance of Counsel

UNITED STATES DISTRICT COURT

for the

Southern District of New York



United States of America

Plaintiff

v.

JEAN RICHARD AUDATE

Defendant

24 Mag. 229
Case No. 24-CR-7 (D.Vt) / 22-CR-23 (D.R.I)

APPEARANCE OF COUNSEL

To: The clerk of court and all parties of record

I am admitted or otherwise authorized to practice in this court, and I appear in this case as counsel for:

Jean Richard Audate.

Date: 01/18/2024

/s/

Attorney's signature

Eon R. Smith, Esq. 4238663

Printed name and bar number

Smith and Company, PLLC

140 Broadway, 46th Floor

New York, NY 10005

Address

esmith@smithelaw.com

E-mail address

(718) 874-5999

Telephone number

(718) 559-6560

FAX number

DOCKET No. 24 Mag. 229DEFENDANT Jean Richard AudateAUSA James MandilkDEF.'S COUNSEL Eon R. Smith☒ RETAINED ☐ FEDERAL DEFENDERS ☐ CJA ☐ PRESENTMENT ONLY☐ INTERPRETER NEEDED☐ DEFENDANT WAIVES PRETRIAL REPORT☐ Rule 5 ☐ Rule 9 ☒ Rule 5(c)(3) ☐ Detention Hrg.DATE OF ARREST 1/18/24☐ VOL. SURR.TIME OF ARREST 7 a.m.☐ ON WRIT☐ Other: _____TIME OF PRESENTMENT 6 p.m.**BAIL DISPOSITION**☐ DETENTION ON CONSENT W/O PREJUDICE☐ DETENTION: RISK OF FLIGHT/DANGER☐ SEE SEP. ORDER☐ DETENTION HEARING SCHEDULED FOR: _____☒ SEE TRANSCRIPT☐ AGREED CONDITIONS OF RELEASE☒ DEF. RELEASED ON OWN RECOGNIZANCE☐ \$ _____ BOND ☐ FRP☐ SECURED BY \$ _____ CASH/PROPERTY: _____☒ TRAVEL RESTRICTED TO SDNY/EDNY/Rt/Wt points in between for travel to: in CT☐ TEMPORARY ADDITIONAL TRAVEL UPON CONSENT OF AUSA & APPROVAL OF PRETRIAL SERVICES☒ SURRENDER TRAVEL DOCUMENTS (& NO NEW APPLICATIONS)☒ PRETRIAL SUPERVISION: ☐ REGULAR ☐ STRICT ☒ AS DIRECTED BY PRETRIAL SERVICES☐ DRUG TESTING/TREATMT AS DIRECTED BY PTS ☒ MENTAL HEALTH EVAL/TREATMT AS DIRECTED BY PTS☐ DEF. TO SUBMIT TO URINALYSIS; IF POSITIVE, ADD CONDITION OF DRUG TESTING/TREATMENT☐ HOME INCARCERATION ☐ HOME DETENTION ☐ CURFEW ☐ STAND ALONE MONITORING☐ LOCATION MONITORING TECHNOLOGY AS DIRECTED BY PTS ☐ GPS☐ DEF. TO PAY ALL OF PART OF COST OF LOCATION MONITORING, AS DETERMINED BY PRETRIAL SERVICES☐ DEF. TO CONTINUE OR SEEK EMPLOYMENT [OR] ☐ DEF. TO CONTINUE OR START EDUCATION PROGRAM☐ DEF. NOT TO POSSESS FIREARM/DESTRUCTIVE DEVICE/OTHER WEAPON☐ DEF. TO BE DETAINED UNTIL ALL CONDITIONS ARE MET☒ DEF. TO BE RELEASED ON OWN SIGNATURE, PLUS THE FOLLOWING CONDITIONS: _____; REMAINING CONDITIONS TO BE MET BY: 2/1/2024**ADDITIONAL CONDITIONS/ADDITIONAL PROCEEDINGS/COMMENTS:**

- sentencing 2/22/24

- all conditions imposed: in effect continue to apply

☐ DEF. ARRAIGNED; PLEADS NOT GUILTY☒ CONFERENCE BEFORE D.J. ON 2/22/2024☐ DEF. WAIVES INDICTMENT☐ SPEEDY TRIAL TIME EXCLUDED UNDER 18 U.S.C. § 3161(h)(7) UNTIL _____**For Rule 5(c)(3) Cases:**☒ IDENTITY HEARING WAIVED☐ DEFENDANT TO BE REMOVED☐ PRELIMINARY HEARING IN SDNY WAIVED☐ CONTROL DATE FOR REMOVAL: _____

PRELIMINARY HEARING DATE: _____

☐ ON DEFENDANT'S CONSENTDATE: 1/18/2024Kathleen H. [Signature]
UNITED STATES MAGISTRATE JUDGE, S.D.N.Y.

UNITED STATES DISTRICT COURT

for the

Southern District of New York

United States of America

v.

Jean Richard Audate

Defendant

)
)
)
)
)

Case No. 24-MAG-229

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant’s release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 34 U.S.C. § 40702.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: _____
Place

on _____
Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

Pursuant to 18 U.S.C. § 3142(c)(1)(B), the court may impose the following least restrictive condition(s) only as necessary to reasonably assure the appearance of the person as required and the safety of any other person and the community.

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

☐ (6) The defendant is placed in the custody of:

Person or organization _____

Address (only if above is an organization) _____

City and state _____

Tel. No. _____

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: _____

Custodian

Date

☐ (7) The defendant must:

☒ (a) submit to supervision by and report for supervision to the _____ PRETRIAL SERVICES FOR ☐ Regular; ☐ Strict; ☒ As Directed
telephone number _____, no later than _____.

☐ (b) continue or actively seek employment.

☐ (c) continue or start an education program.

☒ (d) surrender one passport to: PRETRIAL SERVICES _____

☒ (e) not obtain a passport or other international travel document.

☒ (f) abide by the following restrictions on personal association, residence, or travel: SDNY/EDNY/RI/VT

POINTS IN BETWEEN FOR TRAVEL TO AND FROM COURT

☐ (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: _____

☒ (h) get medical or psychiatric treatment: mental health eval/treatment as directed by PTS

☐ (i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____

☐ (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

☐ (k) not possess a firearm, destructive device, or other weapon.

☐ (l) not use alcohol (☐) at all (☐) excessively.

☐ (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

☐ (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

☐ (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

☐ (p) participate in one of the following location restriction programs and comply with its requirements as directed.

☐ (i) **Curfew.** You are restricted to your residence every day (☐) from _____ to _____, or (☐) as directed by the pretrial services office or supervising officer; or

☐ (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or

☐ (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court; or

☐ (iv) **Stand Alone Monitoring.** You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court.

Note: Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.

ADDITIONAL CONDITIONS OF RELEASE

- ☐ (q) submit to the following location monitoring technology and comply with its requirements as directed:
- ☐ (i) Location monitoring technology as directed by the pretrial services or supervising officer; or
 - ☐ (ii) Voice Recognition; or
 - ☐ (iii) Radio Frequency; or
 - ☐ (iv) GPS.
- ☐ (r) pay all or part of the cost of location monitoring based upon your ability to pay as determined by the pretrial services or supervising officer.
- ☐ (s) report as soon as possible, to the pretrial services or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- ☒ (t) _____
-

Def. released on own recognizance; Travel restricted to SDNY/EDNY/RI/VT points in between for travel to and from court; Surrender travel documents and no new applications; Pretrial supervision as directed by pretrial services; mental health eval/treatment as directed by pretrial services; Def. to be released on own signature; Remaining conditions to be met by 2/1/2024; Sentencing 2/22/2024; All conditions imposed and in effect continue to apply.

***Conference before D.J. on 2/22/2024

Defense Counsel Name: Eon Smith

Defense Counsel Telephone Number:

Defense Counsel Email Address:

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT: Jean Richard Audate

Case No. 24-MAG-229

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

Date: 1/18/24


Defendant's Signature Jean Richard Audate

☐ **DEFENDANT RELEASED**

City and State

Directions to the United States Marshal

- () The defendant is ORDERED released after processing.
- () The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

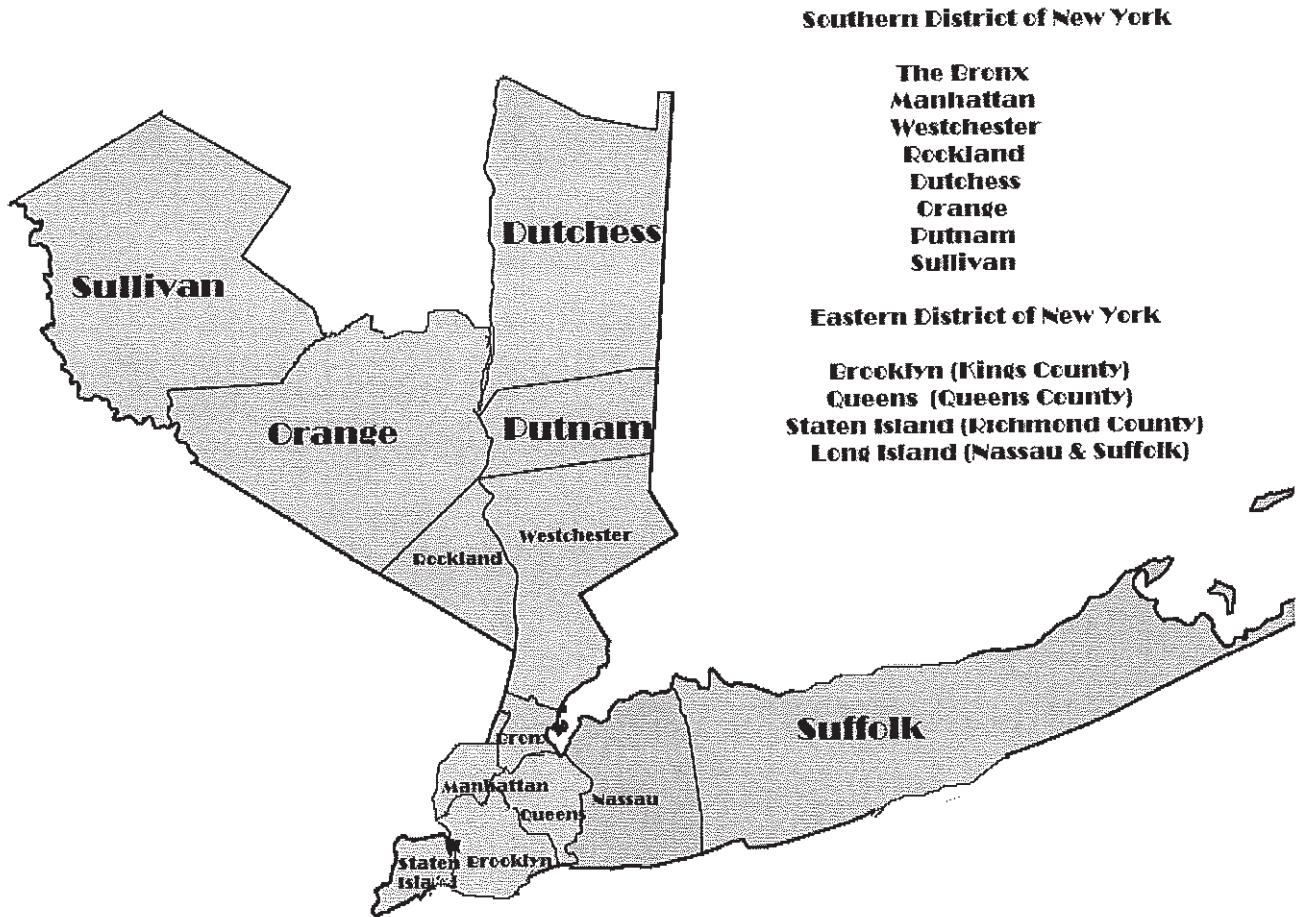
Date: 1/18/24


Judicial Officer's Signature

AUSA's Signature James Mandilk

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

AO 199C (Rev. 09/08) Advice of Penalties



GREEN – PRETRIAL SERVICES AGENCY